

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 12, 2020**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daniel Z. Mohrbacher

Case Number: 0980 2:10CR02093-EFS-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: March 11, 2011

Original Offense: Possession of Child Pornography, 18 U.S.C. § 2252(a)(4)(B)

Original Sentence: Prison - 120 months
TSR - 120 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: December 30, 2019

Defense Attorney: Jennifer Barnes

Date Supervision Expires: December 29, 2029

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 04/02/2020 and 05/19/2020.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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6	
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	<u>Special Condition #3:</u> You must not access the Internet except for reasons approved in advance by the probation officer.
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Supporting Evidence: Mr. Mohrbacher is alleged to have violated his conditions of supervised release by accessing the Internet for reasons not approved by the probation officer on October 27, 2020, which included revised special condition number 3, as noted above.

Mr. Mohrbacher's conditions were reviewed with him on December 30, 2019. He signed his conditions acknowledging an understanding. On July 1, 2020, the offender reviewed and agreed to modify conditions, which the Court adopted on July 7, 2020, including revised special condition number 3, as noted above.

On October 27, 2020, Mr. Mohrbacher used the Internet connection on his television to view sexually explicit content, which he did not have prior authorization to do. On October 28, 2020, during a follow up, the offender admitted verbally and in writing to the conduct noted above.

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7 **Special Condition #5:** You must not view or possess any “visual depiction” (as defined in 18 U.S.C. § 2256), including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of “sexually explicit conduct” (as defined in 18 U.S.C. § 2256).

Supporting Evidence: Mr. Mohrbacher is alleged to have violated his conditions of supervised release by viewing sexually explicit content on October 27, 2020.

Mr. Mohrbacher's conditions were reviewed with him on December 30, 2019. He signed his conditions acknowledging an understanding. On July 1, 2020, the offender reviewed and agreed to modify conditions, which the Court adopted on July 7, 2020, that included revised special condition number 5, as noted above.

On October 27, 2020, as noted in violation number 6, Mr. Mohrbacher accessed the Internet, viewing sexually explicit content. On October 28, 2020, during a follow up, the offender verbally admitted viewing sexually explicit content on the website “Pornhub” for up to an hour.

8 **Special Condition #20:** You must not reside or loiter within 1000 feet of places where children congregate, which includes playgrounds, primary and secondary schools, city parks, daycare centers, and arcades.

Supporting Evidence: Mr. Mohrbacher is alleged to have violated his conditions of supervised release by visiting a city park on October 4, 2020.

Mr. Mohrbacher's conditions were reviewed with him on December 30, 2019. He signed his conditions acknowledging an understanding. On July 1, 2020, the offender reviewed and agreed to revised conditions, which the Court adopted on July 7, 2020, which included revised special condition number 20, as noted above.

On October 4, 2020, while on an authorized travel permit to the Western District of Washington, Mr. Mohrbacher visited a city park. The offender reported visiting the park to watch his grandson ride his bike, which he knew was a violation of his conditions.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 10, 2020

S/Nick Bazan

Nick Bazan
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

11/12/2020

Date